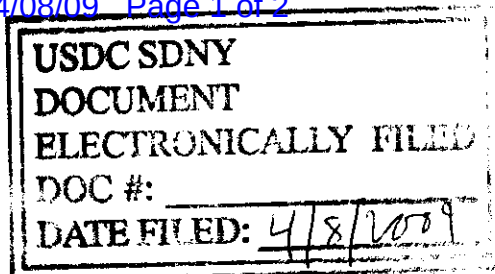


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X

ROBERT ROSS et al., :

Plaintiffs, :

- against - :

AMERICAN EXPRESS COMPANY et al., :

Defendants. :

-----X

04 Civ. 5723 (WHP)

SCHEDULING ORDER No. 6

WILLIAM H. PAULEY III, District Judge:

Counsel for the parties having appeared for a teleconference on April 7, 2009, the following is established on consent of the parties:

- (1) Plaintiffs shall file and serve their motion to consolidate this action with the related action Ross v. Bank of America, 05 Civ. 7116, on April 17, 2009;
- (2) Defendants shall file and serve their opposition on May 1, 2009;
- (3) Plaintiffs shall file and serve their reply on May 8, 2009;
- (4) This Court will hear oral argument on May 20, 2009, at 4:00 p.m.

Dated: April 7, 2009  
New York, New York

SO ORDERED:

  
WILLIAM H. PAULEY III  
U.S.D.J.

*Counsel of Record:*

Merrill G. Davidoff, Esq.  
Berger & Montague, P.C.  
1622 Locust Street  
Philadelphia, PA 19103  
*Counsel for Plaintiffs*

Evan R. Chesler, Esq.  
Cravath, Swaine & Moore LLP  
825 Eighth Avenue  
New York, NY 10019  
*Counsel for Defendants*